

STATE OF NEW JERSEY
COUNTY OF MERCER

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In re	:	Chapter 11 Case No.
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LEHMAN BROTHERS HOLDINGS INC., et al.,	:	08-13555 (JMP)
	:	
Debtors.	:	(Jointly Administered)
	:	
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**AFFIRMATION OF JOHN J. DMUCHOWSKI IN SUPPORT OF
MOTION TO CERTIFY A CLASS OF RSU AND CSA CLAIMANTS
NAMED IN 313TH AND 319TH OMNIBUS OBJECTIONS**

JOHN J. DMUCHOWSKI affirms under penalties of perjury as follows:

1. I was employed by Lehman Brothers and its predecessors from 1982 through 2008. Lehman Brothers terminated my employment in September, 2008 and I was rehired by Barclays. I submit this Affirmation in support of the motion of Michael K. McCully and Michael J. Mullen to certify a class of persons named in the 313th and 319th Omnibus Objections. I was named in the Debtors 313th Omnibus Objection.

2. My RSU-related claim was small, only \$5,069.83. See ECF Doc. 28433, at p. 20 of 39 (Debtors' Schedule). I recognized that, even if I am classified as a general creditor for my unpaid compensation claim, I am likely to receive only a small amount, and that the cost of pursuing the claim would not be justified by the recovery.

3. In pursuing my claim, I have relied on the *pro bono* legal services provided by Smith Stratton, a New Jersey law firm where my wife works as a legal assistant. Smith Stratton

kindly asked only that I pay the out-of-pocket expenses, such as filing fees, postage and courier charges.

4. When I received the 313th Omnibus Objections, I questioned whether it was worth pursuing a claim.

5. It is my belief, however, that employees are entitled to be paid for their services, that my claim is for compensation for pre-petition services I performed for Lehman Brothers, and that it is wrong for other creditors to be paid the money that is due to me and to other employees in my position.

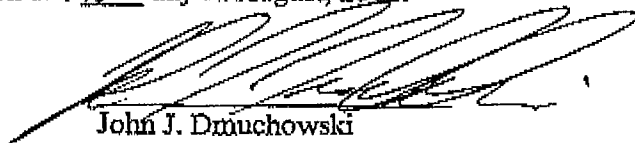
6. When I learn through Smith Stratton that Stamell & Schager, LLP was representing other former employees, I contacted the firm through Smith Stratton and asked whether they would include my claim. They agreed to do so.

7. My claim is small and could easily be overwhelmed by the expenses. Pursuing the claim on a group basis is really the only practical way of pursuing it at all.

8. I respectfully request the Court to consider the economics of the situation for a small Claimant like myself.

9. I fully support the Motion of Michael K. McCully and Michael J. Mullen to certify a class of Claimants named in the 313th and 319th Omnibus Objections.

Affirmed under penalties of perjury on this 16th day of August, 2012.


John J. Dmuchowski